Attorney's Docket No.: 0045-1

DECLARATION FOR PATENT APPLICATION SOLE OR JOINT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention titled:

TOPICAL APPLICATION FOR TREATING TOENAIL FUNGUS

the specification of which is attached hereto.

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS.

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority	Claimed
(Number)	(Country)	(Day/Month/Year Fi	nth/Year Filed) Yes	
(Number)	(Country)	(Day/Month/Year Fi	led) Yes	No
(Number)	(Country)	(Day/Month/Year Fi	led) Yes	No
I hereby claim the benefit under Title 35, SUBJECT MATTER OF EACH OF THE APPLICATION IN THE MANNER PRO ACKNOWLEDGE THE DUTY TO DIS REGULATIONS, §1.56(a) WHICH OCC OR PCT INTERNATIONAL FILING DA	E CLAIMS OF THIS APPLICAT. DVIDED BY THE FIRST PARAC CLOSE MATERIAL INFOMAT. CURRED BETWEEN THE FILIN	ION IS NOT DISCLOSED I GRAPH OF TITLE 35, UNI' ION AS DEFINED IN TITL	N THE PRIOR UNITED STA FED STATES CODE, §112, I E 37, CODE OF FEDERAL	TES
60/274,391	March 10,	2001	Pending	
(Application Serial Number)	(Filing Dat	te) (STA	(STATUS. Patented, Pending, Abandoned)	
(Application Serial Number)	(Filing Dat	te) (STA	(STATUS: Patented, Pending, Abandoned)	
POWER OF ATTORNEY: As a name transact all business in the Patent and Tra				cation and
(LIST SENIOR PATENT COUNSEL AT	ND ATTORNEY HANDLING C	ASE WITH PATENT OFFIC	E REGISTRATION NUMBE	ERS.)
Ernest D. Buff				
Name	Nan	me	Name	
25,833				
Registration Number	Registration	n Number	Registration Number	
SEND CORRESPONDENCE TO:	RESPONDENCE TO: Ernest D. Buff, Esq.			
	Ernest D. Buff & Associates	, LLC		
	245 South Street			
	Morristown, NJ 07960			

I hereby declare that all statements made herein of my own knowledge are true and the believed to be true; and further that these statements were made with the knowledge that willful punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States leopardize the validity of the application or any patent issuing thereon.	false statements and the like:	so made are
FULL NAME OF SOLE OR FIRST INVENTOR James Edward Brehove	Λ	
INVENTOR'S SIGNATURE and Edward	Date 2	502
PESIDENCE Suggesting New Jersey (County Of Morris)		
CITIZENSHIP IISA		
POST OFFICE ADDRESS 11 Cliff Court		
Succasunna, NJ 07876		
FULL NAME OF SECOND JOINT INVENTOR		
INVENTOR'S SIGNATURE	Date	
RESIDENCE		
CITIZENSHIP		
POST OFFICE ADDRESS		
FULL NAME OF THIRD JOINT INVENTOR		
INVENTOR'S SIGNATURE	Date	
RESIDENCE		
CITIZENSHIP		
POST OFFICE ADDRESS		
FULL NAME OF FOURTH JOINT INVENTOR		
INVENTOR'S SIGNATURE	Date	
RESIDENCE		
CITIZENSHIP		
POST OFFICE ADDRESS		
FULL NAME OF FIFTH JOINT INVENTOR		
INVENTOR'S SIGNATURE	Date	
RESIDENCE		
CITIZENSHIP		
POST OFFICE ADDRESS		

DECLARATION FOR PATENT APPLICATION—SOLE OR JOINT (Continued)

Attorney's Docket No: 0045-1 - Page 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James Edward Brehove

Serial No:

Complete Based On Application No.: 60/274,391, Filed March 10, 2001

For:

TOPICAL APPLICATION FOR TREATING TOENAIL FUNGUS

Attorney Docket No.:

0045-1

245 South Street Morristown, NJ 07960 February 2, 2002

Assistant Commissioner For Patents Washington, DC 20231

Sir:

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITYSTATUS UNDER 37 CFR 1.9 (f) AND 1.27 (b)

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under Sections 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **TOPICAL APPLICATION FOR TREATING TOENAIL FUNGUS** described in the above-identified application.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

There is, in fact, no such person, concern, or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

James Edward Brehove

Date